

# House File 603 - Introduced

HOUSE FILE 603  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 179)

## A BILL FOR

1 An Act establishing the sexual assault forensic examiner  
2 program.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 13.31, Code 2021, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 8. Administer the sexual assault forensic  
4 examiner program established pursuant to section 915.46 for  
5 training and providing technical assistance to sexual assault  
6 examiners and sexual assault nurse examiners.

7 Sec. 2. NEW SECTION. 915.46 Sexual assault forensic  
8 examiner program.

9 1. As used in this section:

10 a. "*Federally qualified health center*" means a facility as  
11 defined in 42 U.S.C. §1396d(1)(2)(B) that provides primary care  
12 or sexual health services.

13 b. "*Medical forensic services*" include but are not  
14 limited to, taking a medical history, performing photographic  
15 documentation, performing a physical examination, assessing a  
16 patient for evidence collection, collection of evidence using  
17 a sexual abuse evidence collection kit, assessing a patient  
18 for drug-facilitated or alcohol-facilitated sexual assault,  
19 providing an evaluation of and care for sexually transmitted  
20 infection and HIV, pregnancy risk evaluation and care, and  
21 discharge and follow-up health care planning.

22 c. "*Pediatric treatment facility*" means a treatment facility  
23 that provides treatment relating to the development, care, and  
24 diseases of infants, children, and adolescents and that meets  
25 the accreditation requirements described in subsection 3.

26 d. "*Sexual assault examiner*" means a medical practitioner  
27 who is trained to provide services that include but are not  
28 limited to the following:

29 (1) Taking a medical history.

30 (2) Performing photographic documentation.

31 (3) Performing a physical examination.

32 (4) Assessing a patient for evidence collection.

33 (5) Collecting evidence using a sexual abuse evidence  
34 collection kit.

35 (6) Assessing a patient for drug-facilitated or

1 alcohol-facilitated sexual assault.

2 (7) Providing an evaluation of care for sexually  
3 transmitted infection and HIV, pregnancy risk evaluation, and  
4 care.

5 (8) Providing discharge follow-up health care planning.

6 *e. "Sexual assault nurse examiner"* means a registered nurse,  
7 an advanced registered nurse practitioner, or an advanced  
8 practice registered nurse, licensed pursuant to chapter 152  
9 or 152E who has completed a sexual assault forensic examiner  
10 program that meets the sexual assault nurse examiner education  
11 guidelines established by the international association of  
12 forensic nurses.

13 *f. "Sexual assault survivor"* means a person who seeks  
14 medical forensic services in relation to injuries or trauma  
15 resulting from a sexual assault.

16 *g. "Treatment facility"* means a hospital, clinic, or  
17 pediatric treatment facility that provides medical forensic  
18 services to sexual assault survivors who seek medical forensic  
19 services for a sexual assault within seven days of a sexual  
20 assault, or who have disclosed a past sexual assault by a  
21 specific person.

22 2. A sexual assault forensic examiner program is  
23 established within the department of justice. The sexual  
24 assault forensic examiner program shall maintain a list of  
25 sexual assault examiners and sexual assault nurse examiners who  
26 have completed didactic and clinical training approved by the  
27 department of justice and consistent with the sexual assault  
28 forensic examiner education guidelines established by the  
29 international association of forensic nurses.

30 3. In order to qualify as a treatment facility under  
31 this section, a pediatric treatment facility shall meet  
32 the accreditation standards for children's advocacy centers  
33 adopted by the national children's alliance including any  
34 of the following medical provider eligibility or training  
35 requirements:

1     *a.* Child abuse pediatric sub-board eligibility or  
2 certification.

3     *b.* A minimum of sixteen hours of formal didactic training in  
4 the medical evaluation of child sexual abuse for a physician  
5 without board certification or board eligibility in child  
6 abuse pediatrics, an advanced practice registered nurse, or a  
7 physician assistant.

8     *c.* A minimum of forty hours of coursework specific to  
9 the medical evaluation of child sexual abuse followed by a  
10 competency-based clinical preceptorship.

11    *d.* A pediatric treatment facility shall not exclude the  
12 presence of or interfere with the activities of a victim  
13 counselor as defined in section 915.20A.

14    4. *a.* By July 1, 2022, the sexual assault forensic  
15 examiner program shall develop and make available to treatment  
16 facilities two hours of online sexual assault training for  
17 sexual assault examiners and sexual assault nurse examiners.  
18 Notwithstanding any other law regarding ongoing licensure  
19 requirements, such training shall apply toward the continuing  
20 medical education and continuing nursing education credits  
21 for physicians, physician assistants, registered nurses,  
22 advanced registered nurse practitioners, and advanced practice  
23 registered nurses.

24    *b.* The sexual assault forensic examiner program shall  
25 provide didactic and clinical training opportunities consistent  
26 with the sexual assault forensic examiner education guidelines  
27 established by the international association of forensic  
28 nurses, in collaboration with the Iowa department of public  
29 health and the Iowa coalition against sexual assault, in  
30 sufficient numbers and geographical locations across the state  
31 to assist treatment facilities with training sexual assault  
32 examiners and sexual assault nurse examiners.

33    *c.* Sexual assault training provided under this subsection  
34 may be provided in person or online and shall include but is  
35 not limited to information concerning all of the following:

1 (1) The provision of medical forensic services.

2 (2) The use of a sexual abuse evidence collection kit.

3 (3) Sexual assault epidemiology, the neurobiology of  
4 trauma, drug-facilitated sexual assault, child sexual abuse,  
5 and Iowa sexual assault-related laws.

6 (4) The treatment facility's sexual assault-related  
7 policies and procedures.

8 5. The sexual assault forensic examiner program, in  
9 collaboration with qualified medical providers, the Iowa  
10 department of public health, and the Iowa coalition against  
11 sexual assault, shall create uniform materials that all  
12 treatment facilities and federally qualified health centers  
13 are required to provide to patients and non-offending parents  
14 or legal guardians, if applicable, regarding medical forensic  
15 examination procedures, laws regarding consent relating to  
16 medical forensic services, and the benefits and risks of  
17 evidence collection, including recommended time frames for  
18 evidence collection pursuant to evidence-based research.  
19 These materials shall be made available on the department  
20 of justice's internet site to all treatment facilities and  
21 federally qualified health centers.

22 6. The sexual assault forensic examiner program, in  
23 collaboration with qualified medical providers, the Iowa  
24 department of public health, and the Iowa coalition against  
25 sexual assault, shall create and update statewide sexual  
26 assault examiner and sexual assault nurse examiner protocols,  
27 shall provide technical assistance upon request to health care  
28 professionals, and shall provide expertise on best practices to  
29 health care professionals relating to sexual assault forensic  
30 examinations.

31 7. *Advisory committee.*

32 a. The department of justice shall establish an advisory  
33 committee to support the sexual assault forensic examiner  
34 program implemented in accordance with this section. The  
35 duties of the committee shall include but are not limited to

1 the following:

2 (1) Advising the department of justice regarding the  
3 training programs developed for the sexual assault forensic  
4 examiner program.

5 (2) Reviewing the implementation and effectiveness of the  
6 sexual assault forensic examiner program.

7 (3) Recommending to the department of justice changes in  
8 legislation and administrative rules concerning the sexual  
9 assault forensic examiner program.

10 *b.* Members of the advisory committee shall include staff  
11 members of the department of justice managing the sexual  
12 assault forensic examiner program; representatives from the  
13 department of public health as determined by the director to  
14 be appropriate, the Iowa coalition against sexual assault, the  
15 board of nursing, and other constituencies as determined by  
16 the department of justice with an interest in sexual assault  
17 forensic examinations; and the hospital medical staff person  
18 involved with emergency services pursuant to section 915.82.

19 Sec. 3. Section 915.94, Code 2021, is amended to read as  
20 follows:

21 **915.94 Victim compensation fund.**

22 A victim compensation fund is established as a separate fund  
23 in the state treasury. Moneys deposited in the fund shall  
24 be administered by the department and dedicated to and used  
25 for the purposes of [section 915.41](#) and [this subchapter](#). In  
26 addition, the department may use moneys from the fund for the  
27 purpose of the department's prosecutor-based victim service  
28 coordination, including the duties defined in [sections 910.3](#)  
29 and [910.6](#) and [this chapter](#), to support the sexual assault  
30 forensic examiner program established in section 915.46, for  
31 the award of funds to programs that provide services and  
32 support to victims of domestic abuse as provided in chapter  
33 236, to victims of sexual abuse as provided in [chapter 236A](#),  
34 to victims under [section 710A.2](#), for reimbursement to the  
35 Iowa law enforcement academy for domestic abuse and human

1 trafficking training, and for the support of an automated  
 2 victim notification system established in [section 915.10A](#).  
 3 For each fiscal year, the department may also use up to three  
 4 hundred thousand dollars from the fund to provide training  
 5 for victim service providers, to provide training for related  
 6 professionals concerning victim service programming, and  
 7 to provide training concerning homicide, domestic assault,  
 8 sexual assault, stalking, harassment, and human trafficking as  
 9 required by [section 710A.6](#). Notwithstanding [section 8.33](#), any  
 10 balance in the fund on June 30 of any fiscal year shall not  
 11 revert to the general fund of the state.

## EXPLANATION

13           The inclusion of this explanation does not constitute agreement with  
 14           the explanation's substance by the members of the general assembly.

15       This bill establishes the sexual assault forensic examiner  
 16 program.

17       The bill provides that the victim assistance program  
 18 established in the department of justice shall administer  
 19 the sexual assault forensic examiner program established in  
 20 the bill (Code section 915.46) for training, certifying, and  
 21 providing technical assistance to sexual assault forensic  
 22 examiners and sexual assault nurse examiners. The bill  
 23 provides definitions including definitions of "sexual assault  
 24 examiner", "sexual assault nurse examiner", "treatment  
 25 facility", and "pediatric treatment facility".

26       The bill provides that a sexual assault forensic examiner  
 27 program is established within the department of justice. The  
 28 sexual assault forensic examiner program shall maintain a list  
 29 of sexual assault examiners and sexual assault nurse examiners  
 30 who have completed certain training. By July 1, 2022, the  
 31 sexual assault forensic examiner program shall develop and  
 32 make available to treatment facilities two hours of online  
 33 sexual assault training for sexual assault examiners and  
 34 sexual assault nurse examiners. Notwithstanding any other law  
 35 regarding ongoing licensure requirements, such training shall

1 apply toward the continuing medical education and continuing  
2 nursing education credits for physicians, physician assistants,  
3 registered nurses, advanced registered nurse practitioners, and  
4 advanced practice registered nurses.

5 The bill provides that sexual assault examiner training,  
6 including didactic and clinical training, may be provided  
7 in person or online and shall include but is not limited to  
8 information concerning the provision of medical forensic  
9 services; the use of a sexual abuse evidence collection kit;  
10 sexual assault epidemiology, the neurobiology of trauma,  
11 drug-facilitated sexual assault, child sexual abuse, and Iowa  
12 sexual assault-related laws; and the treatment facility's  
13 sexual assault-related policies and procedures.

14 The bill provides that the sexual assault forensic examiner  
15 program, in collaboration with qualified medical providers,  
16 the Iowa department of public health, and the Iowa coalition  
17 against sexual assault, shall create uniform materials that all  
18 treatment facilities and federally qualified health centers  
19 are required to provide to patients and non-offending parents  
20 or legal guardians, if applicable, regarding medical forensic  
21 examination procedures, laws regarding consent relating to  
22 medical forensic services, and the benefits and risks of  
23 evidence collection including recommended time frames for  
24 evidence collection pursuant to evidence-based research.  
25 The materials shall be made available on the department  
26 of justice's internet site to all treatment facilities and  
27 federally qualified health centers. The sexual assault  
28 forensic examiner program, in collaboration with qualified  
29 medical providers, the Iowa department of public health, and  
30 the Iowa coalition against sexual assault, shall create and  
31 update statewide sexual assault examiner and sexual assault  
32 nurse examiner protocols, shall provide technical assistance  
33 upon request to health care professionals, and shall provide  
34 expertise on best practices to health care professionals  
35 relating to sexual assault forensic examinations.



1     The bill provides that the department of justice shall  
2 establish an advisory committee to support the sexual assault  
3 forensic examiner program. The duties of the committee shall  
4 include but are not limited to the following: advising the  
5 department of justice regarding the training programs developed  
6 for the sexual assault forensic examiner program; reviewing the  
7 implementation and effectiveness of the sexual assault forensic  
8 examiner program; and recommending to the department of justice  
9 changes in legislation and administrative rules concerning the  
10 sexual assault forensic examiner program. The bill specifies  
11 the members of the advisory committee.

12     The bill provides that the department may use moneys from the  
13 victim compensation fund to support the sexual assault forensic  
14 examiner program.